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**Date:** March 29, 2006

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**Number of pages (including this page):** 9

**F&B File No.:** 75028- 309286  
**Rec.:** 6038

**From:** Scott A. Marks

**Telephone Number:** 612/766-7820

**To:** MAIL STOP AMENDMENT

Swiger III, James L.  
Art Unit: 3733

**Fax No.:** 571-273-8300  
**Phone No.:** \_\_\_\_\_

Patent & Trademark Office, Technology Center 3700

<b>Inventor(s):</b> JACK A. DANT	<b>Examiner:</b> Swiger III, James L.
<b>Appln. No.:</b> 10/663,212	<b>Group Art Unit:</b> 3733
<b>Filing Date:</b> September 15, 2003	<b>Confirmation No.:</b> 2345
<b>Title:</b> APPARATUS AND METHOD FOR SPINAL DISTRACTION USING A FLIP-UP PORTAL	<b>Customer No.:</b> 43541
	<b>Docket No.</b> 75028-309286

Attached to this facsimile communication cover sheet is a Response to Election of Species Requirement for filing, faxed this 29<sup>th</sup> day of March 2006.

- Response to Election of Species Requirement (8 pgs.)

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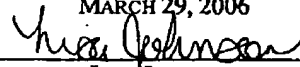
**Lisa J. Johnson at 612/766-7131.**

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CENTRAL FAX CENTER****MAR 29 2006****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Inventor(s):</b> Jack A. Dant	<b>Examiner:</b> Swiger III, James L.
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	<b>Docket No.:</b> 75028-309286

**Mail Stop AMENDMENT**  
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MARCH 29, 2006

  
LISA JOHNSON

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

This communication is responsive to the Office Action mailed on March 1, 2006, in which all pending claims 1-27 were subject to a restriction and election of species requirement, and includes the following:

**Listing of Claims** beginning on page 2; and

**Response/Remarks to Election of Species Requirement** beginning on page 8.